

EXHIBIT LIST OF PLAINTIFFS

CASE NO. 2:18-cv-00659-JLR

CASE CAPTION: CALIFORNIA EXAPNDED METALS COMPANY, ET AL., V. JAMES A. KLEIN, ET AL.

EX. NO.	DESCRIPTION	BATES NO.	WITNESS	STIP. AUTH.	STIP. ADM.	OFFER	REC'D	REFUSED	RULING RESERVED	COMMENTS
1	9/6/17 Email from Klein to Spears Online fwding 9/6/17 email from Klein to Dave Powers (Anning Johnson) re "New Safti-Seal replacement for BlazeFrame"	SAFTI0002505-2507		X	X					
2	1/13/17 Email from Klein to ClarkDietrich ("CDBS") re email from Bob Germek (LB Const.) inquiring about BlazeFrame not meeting UL standards	SAFTI0002590-2591		X	X					
3	1/2/18 Email chain between Klein and Michael Gutierrez (California Drywall) re BlazeFrame products provided by CDBS	SAFTI0002594-2597		X	X					
4	1/5/18 Email from Klein to Don Allen (Super Stud) re BlazeFrame and UL Requirements	SAFTI0002620-2621		X	X					
5	12/29/17 Email chain between Klein and Steve Flanagan (Giampolini & Co.) re BlazeFrame being obsolete and new UL test standards	SAFTI0003331-3334		X	X					

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6	10/21/17 Email chain between Klein and Ashley Stevens and Bob Germek (LB Const.) re whether BlazeFrame product was made by CDBS	SAFTI0003336		X						
7	10/4/17 Email chain between Klein and Kelley Huss (ICI Colorado) re CDBS taking on liability for "life safety of their current old BlazeFrame"	SAFTI0004641-4644		X	X					
8	2/1/18 - 2/7/18 Email chain between Klein and Dave Rohder (Nevell-Standard J.V.) and Reza Vahabzadeh (KPFF) re extra strength backing	SAFTI0005006-5009		X	X					
9	1/25/18 Email chain between Klein and Tyler Ryan (Component Assembly Systems) re UL Requirements	SAFTI0005029-5031		X	X					
10	11/8/17 Email chain between Klein and Tony Goulet (Raymond-Southern California) re UL Requirements and BlazeFrame products	SAFTI0005037-5039		X	X					

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11	1/10/18 Email chain between Klein and Jesse Sahagun (Performance Contracting) re additional foam for BlazeFrame products to be UL compliant	SAFTI0005049-5050		X	X					
12	10/17/18 – 11/3/17 Email chain between Klein and Brent Johnson (Firewise Consultants) re CDBS and CEMCO products not meeting UL standards	SAFTI0005058-5062		X	X					
13	12/27/17 Email chain between Klein and Frank Joyce (Kitchell) re selling patents and trade names associated with BlazeFrame	SAFTI0005096-5097		X	X					
14	9/27/17 – 9/29/19 Email chain between Klein, Rick Amundson (Spears Construction Supply), and Kurt Mehrer (Mehrer Drywall) re Safti-Seal being one of four systems to pass UL 2079 v5	SAFTI0005136-5142		X	X					

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15	2/1/18 Email chain between Klein and Brad Hamilton (GTS Interior Supply) re whether Safti-Seal makes product with similar fire-rating as BlazeFrame	SAFTI0005214-5216		X	X					
16	1/24/18 – 1/26/18 Email chain between Klein and Tyler Ryan (Component Assembly) re UL standards and Ken Yakopcic's (Marino) email	SAFTI0005249-5252		X	X					
17	9/14/17 Email chain between Klein and Corey Rice (Performance Contracting) re Head of Wall design, HW-D-0696, and Safti-Seal being the only UL v5 compliant prod.	SAFTI0005270-5271		X	X					
18	10/6/17 Email chain between Klein and Nancy Bradshaw (Allied Building Products) re name change from BlazeFrame to Safti-Seal	SAFTI0005341-5342		X	X					

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19	9/25/17 – 9/26/17 Email chain between Klein and Don Allen (Super Stud Building Products) re changes from BlazeFrame to Safti-Seal	SAFTI0005391-5392		X	X					
20	10/31/17 Email chain between Klein and Randy Clark (Rectorseal) re change from BlazeFrame to Safti-Seal due to sale of BlazeFrame trademark	SAFTI0005397-5398		X	X					
21	9/6/17 – 9/18/17 Email chain between Klein and Tim Farrell (Anning-Johnson Co.) re UL testing standards and Safti-Seal replacement for BlazeFrame	SAFTI0005403-5404		X	X					
22	9/6/17 – 9/14/17 Email chain between Klein and Dave Powers (Anning-Johnson Co.) re New Safti-Seal replacement for BlazeFrame	SAFTI0005405-5408		X	X					
23	1/2/18 Email chain between Klein and Joe Loeschnig (Raymond-San Diego) re New UL Systems for HOW	SAFTI0005413-5415		X	X					

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24	12/27/17 Email chain between Klein and Chris Harder (Anning-Johnson Co.) re difference of adding new "thermal layer" to pass new UL standards	SAFTI0005420-5421		X	X					
25	1/2/18 Email chain between Klein and Ron Lindow (Flad Architects) re whether Safti-Seal is name change or new company and if BlazeFrame meets UL standards	SAFTI0005475-5481		X	X					
26	2/22/18 Email chain between Klein and Shena Meyer (Westside Building Material) re BlazeFrame requiring additional material to pass UL v5 standards	SAFTI0005574-5575		X	X					
27	August 2017 letter from Safti-Seal re UL V.5 updated certification	SAFTI0005576		X	X					
28	1/24/18 Email chain between Klein and Evan Powers (Allied Const. Serv.) re product advancement and name change	SAFTI0005590-5592		X	X					

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29	2/14/18 Email chain between Jim Klein and Don Allen (Super Stud Building Projects) re BlazeFrame products supplied by CDBS	SAFTI0005718-5720		X	X					
30	11/30/17 Email chain between Klein and Lee Zaretsky (Ronsco) re UL Approvals and sale of BlazeFrame to CDBS/CEMCO	SAFTI0005725-5729		X	X					
31	11/7/17 – 11/30/17 Email chain between Klein and James Smyser (UL) re “Shaft Wall updated support HW-D-0496, 0504, 0559, 0631”	SAFTI0005802-5807		X	X					
32	2/13/18 – 2/23/18 Email chain between Klein and Bernie Ferland (CISI) re Safti-Seal products and BlazeFrame requirements for UL compliance	SAFTI0005825-5827		X	X					
33	12/4/17 – 12/7/17 Email chain between Klein and Brett Betters (Standard Drywall) re UL and “first generation BlazeFrame”	SAFTI0005848-5850		X	X					

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34	12/22/17 – 1/3/18 Email chain between Klein and Yanwei Cen (Rectorseal) re Safti-Seal, BlazeFrame, and adding new “thermal layer”	SAFTI0005951-5953		X	X					
35	2/9/18 Email from Klein to Rick Amundson (Spears) re STI flappy cap	SAFTI0006058		X	X					
36	2/13/18 Email from Klein to Bernie (CISI) re Safti-Seal products and BlazeFrame requirements to meet UL standards	SAFTI0006109-6110		X	X					
37	August 2017 Safti-Seal letter discussing UL v.5 certification	SAFTI0006161		X	X					
38	2/20/18 Email from Klein to Rick Amundson (Spears) re UL2079 fire test and effects of UL standards on “other crappy products”	SAFTI0006702		X						
39	6/18/19 List of Safti-Seal sales by customer detail	SAFTI0007188-7243		X	X					
40	List of Safti-Seal customers, including date of first sale and date of latest sale			X						

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41	Excel spreadsheet of communications regarding Safti-Seal products, including call notes and contacts	CDWA_005566								
42	(Reserved)									
43	7/3/19 Plaintiff's Notice of Deposition of Defendant James Klein			X	X					
44	7/3/19 Plaintiff's Notice of Deposition of Defendant BlazeFrame pursuant to FRCP 30(b)(6)			X	X					
45	7/3/19 Plaintiff's Notice of Deposition of Defendant Safti-Seal pursuant to FRCP 30(b)(6)			X	X					
46	United States Patent Number 7,681,365 to Klein entitled "Head-of-Wall Fireblock Systems and Related Wall Assemblies"			X	X					
47	United States Patent Number 7,814,718 to Klein entitled "Head-of-Wall Fireblocks"			X	X					

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48	United States Patent Number 8,136,314 to Klein entitled "Head-of-Wall Fireblocks"			X	X					
49	United States Patent Number 8,151,526 to Klein entitled "Head-of-Wall Fireblock Systems and Related Wall Assemblies"			X	X					
50	8/2/18 Joint Systems XHBN, XHBN7, System No. HW-D-0498 - UL Product Spec			X						
51	(Reserved)									
52	Expert Report of Minh P. Doan									
53	7/15/19 Rebuttal Expert Report of Daniel Lindsay			X	X					

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54	Civil Minutes of Hearing held 4/1/16 re Motions to Enforce Settlement Agreement between CEMCO, CDBS, Klein, and BlazeFrame from CEMCO v. ClarkDietrich, Klein, and BlazeFrame, Case No. CV12-10791; and Transcript of Settlement Conf. held 10/2/15, the "Settlement Agreement"			X						
55	Order granting Preliminary Injunction entered by Judge Pregerson against Klein and BlazeFrame from CEMCO and ClarkDietrich v. Klein and BlazeFrame, Case No. CV 16-cv-5968			X						
56	10/16/16 Download of documents from BlazeFrame's website identifying the patents and intellectual property that cover the products Defendant BlazeFrame previously sold			X						

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57	Screenshots from a video showing the composition of the Safti-Seal "strip" and the installation of the strip, and installation and building of head-of-wall assembly			X						
58	Photographs from Safti-Seal Website showing Safti-Seal "strip" used on job sites			X						
59	United States Patent Number 6,207,085 to Ackerman entitled "Heat Expandable Compositions"			X						
60	Excerpts of 4/2/19 discovery responses entitled "Defendant Safti-Seal, Inc.'s Objections and Responses to Plaintiff CEMCO's Amended First Set of Interrogatories (Nos. 1-2, 6-9, 17)"									
61	Compilation of Marketing Materials for the Safti-Seal Products from www.saftiseal.com			X						
62	4/22/19 discovery requests entitled "Defendants' First Set of Requests for Production to Plaintiffs"			X						

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63	United States Patent Number 7,866,108 to Klein entitled "Head-of-Wall Fireblock Systems and Related Wall Assemblies"			X						
64	United States Patent Number 8,056,293 to Klein entitled "Head-of-Wall Fireblock Systems and Related Wall Assemblies"			X						
65	Product Flyers for Safti-Seal products, including the Safti-Frame "DSL" and "Safti-Strip"			X						
66	Excerpts of 4/2/19 discovery responses entitled "Defendant Safti-Seal, Inc.'s Objections and Responses to Plaintiff CEMCO's Amended First Set of Interrogatories (Nos. 14- 17)"									
67	8/13/18 discovery request response entitled "Defendant Safti-Seal, Inc.'s Objections and Responses to Plaintiffs First Set of Requests for Documents and Things (Nos. 1-50)"			X						

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68	(Reserved)									
69	Chart created by Trojan Law Offices with drawings of the accused Safti-Seal products from the Safti-Seal website (www.saftiseal.com)									
70	"Business Information" regarding Safti-Seal obtained from the Washington Secretary of State website (ccfs.sos.wa.gov)			X						
71	7/25/19 Declaration of Eva Ackerman in response to 7/9/19 Subpoena to RectorSeal									
72	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0495			X	X					
73	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0496			X	X					
74	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0498			X	X					

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75	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0499			X	X					
76	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0502			X	X					
77	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0503			X	X					
78	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0504			X	X					
79	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0505			X	X					
80	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0506			X	X					
81	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0512			X	X					
82	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0513			X	X					

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83	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0543			X	X					
84	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0558			X	X					
85	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0559			X	X					
86	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0597			X	X					
87	UL certification standard and UL Product iQ for Joint Systems XHBN.HW-D-0631			X	X					
88	UL certification standard and UL Product iQ for Joint Systems BW-S-0021			X	X					
89	UL certification standard and UL Product iQ for Joint Systems WW-S-0055			X	X					
90	Marketing Video from Safti-Seal explaining Safti-Seal product installation			X	X					

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91	Civil Minutes of Hearing held 10/2/15, settlement reached in CEMCO v. ClarkDietrich, Klein, and BlazeFrame, Case No. CV12-10791 before Judge Pregerson			X						
92	Settlement Agreement between CEMCO, ClarkDietrich, Jim Klein, and BlazeFrame from CEMCO and ClarkDietrich v. Klein and BlazeFrame, Case No. CV 16-cv-5968			X						
93	Email from Klein to Klein re year end update, discussing BlazeFrame's sale for "life safety design considerations" and Safti-Seal products meeting current UL Standards			X	X					
94	CDBS's Sales and Profits of BlazeFrame Products practicing the Patents-in-Suit (Jan. 2016 – Apr. 2019) and Average revenue and net realizable value per foot of BlazeFrame products practicing the Patents-in-Suit (Sep. 2017 – Mar. 2019)			X						

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105	Summary of Plaintiffs' Total Reasonable Royalty Damages (Sep. 1, 2017 – Mar. 31, 2019)									
106	Safti-Seal Profit and Loss (dated July 1, 2019)	SAFTI0007244-7245		X	X					
107	Defendant Safti-Seal, Inc.'s Supplemental Objections and Responses to Plaintiff CEMCO's Amended First Set of Interrogatories (dated July 8, 2019)									
108	Safti-Sales Sales by Customer Detail, dated June 18, 2019									
109	Anning-Johnson Material Order	Safti 0004-0000587								
110	Email chain between Klein and Raul Martinez plus attachments	SAFTI0004000-4001 SAFTI0004026-4027 SAFTI0004031-4032		X	X					
111	SaftiSeal Sales by Item Summary									
112	Allied Building Products Purchase Order	Safti 004-0000751		X	X					

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113	(Reserved)									
114	Safti-Seal Complete Price List – 2018	SAFTI0005166-5186		X	X					
115	AC23 Installation and Manufacturer Recommendations	SAFTI0006689		X	X					
116	BlazeFrame Sales Data (January 2016 – April 2019); (Jan 16 - Apr 19 BlazeFrame sales.xlsx.)	CDWA_008816.xlsx								
117	SAFTI0007435 - AEO.xlsx	SAFTI0007435.xlsx		X	X					
118	License and Commercialization Agreement between BlazeFrame and CDBS dated January 13, 2012	CDWA_005592-5668								
119	June 25, 2017 Agreement among CEMCO, Klein, CDBS, and BlazeFrame Industries	CDWA_008848-8856		X						
120	Dodge Report dated May 17, 2019	CDWA_008678.xlsx		X	X					
121	Email from Tim Farrell to Jim Klein RE: “DLR L1 – Suite 106/206” dated October 27, 2017	SAFTI0004688-4691		X	X					

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122	Email from Tim Farrell of Anning-Johnson to Jim Klein RE: "DLR L1 – Suite 106/206 –Safti-Seal Purchase Order 001" dated October 27, 2017	SAFTI0002000-2001		X	X					
123	Anning-Johnson Purchase Order PO-01 Safti-Seal Fire Track dated October 17, 2017	SAFTI0002010		X						
124	Email chain between Louis Farina of Anning-Johnson and Jim Klein RE: "Anning Johnson Order D-7348-003" dated April 5, 2018	Safti 004-0000589-591		X	X					
125	Standard Quote, ClarkDietrich Building Systems, Quote # 1310658, dated April 16, 2018.	CDWA_008695-8698		X						
126	Standard Quote, ClarkDietrich Building Systems, Quote # 1312615, dated April 25, 2018	CDWA_008710-8714		X						
127	Standard Quote, ClarkDietrich Building Systems, Quote # 1304454, dated March 15, 2018	CDWA_005572-5576		X						

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128	Standard Quote, ClarkDietrich Building Systems, Quote # 1323587, dated July 9, 2018	CDWA_005577-5581		X						
129	(Reserved)									
130	Standard Quote, ClarkDietrich Building Systems, Quote # 1338297, dated October 19, 2018	CDWA_008715-8719		X						
131	Price Agreement, ClarkDietrich Building Systems, ID # 1347089, dated January 2, 2019	CDWA_008699-8703		X						
132	Standard Quote, ClarkDietrich Building Systems, Quote # 1351425, dated January 31, 2019	CDWA_005582-5586		X						
133	Standard Quote, ClarkDietrich Building Systems, Quote # 1355253, dated February 27, 2019	CDWA_008704-8709		X						
134	Safti-Seal Sales Data dated November 27, 2018	Safti 021-00000001-2		X						
135	ClarkDietrich Distributor Pricing Sheet for West Region	CDWA_008888-8903		X						

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150	Claim Construction Order from this case filed 4/17/2019	Docket #98								
151	Amended Order on Cross-Motions for Summary Judgment from this case filed 11/22/19	Docket #135								
152	Order on Plaintiffs' Motion for Clarification from this case filed 11/22/19	Docket #134								
153	Safti-Seal Product Sales Data from 7/26/19 to 12/1/19									
154	SAFTI0007467.xlsx	SAFTI0007467.xlsx		X	X					
155	CDBS and BlazeFrame updated sales data; Jan 2016 – Oct 2019.	CDWA_017245.xlsx								

EXHIBIT LIST OF PLAINTIFFS

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CASE CAPTION: CALIFORNIA EXAPNDED METALS COMPANY, ET AL., V. JAMES A. KLEIN, ET AL.

[illegible]

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of December 2019, I caused to have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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